

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/27/22

MEMORANDUM ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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United States of America, and States of the
United States, *ex rel.* Patrick Donohue,

Plaintiffs,

Case No. 20-cv-05396 (GHW)(SDA)

-against-

RICHARD CARRANZA, in his official capacity
as the former Chancellor of New York City
Department of Education, *et al.*

**NOTICE AND STIPULATION
OF VOLUNTARY PARTIAL
DISMISSAL**

Defendants.

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IT IS HEREBY STIPULATED AND AGREED by and between the respective undersigned counsel, and attorneys of record for, Plaintiff-Relator, PATRICK DONOHUE, and Defendants NIAGARA FALLS PUBLIC SCHOOL DISTRICT and its Superintendent in his official capacity, MARK. LAURRIE (collectively, “Niagara Falls Defendants”) (Plaintiff-Relator and Niagara Falls Defendants collectively the “Parties”), that Plaintiff-Relator hereby voluntarily dismisses WITH PREJUDICE the claims brought under New York City and State law in the above-captioned action (*i.e.*, the fifth through tenth causes of action in the Second Amended Complaint [ECF No. 19]) against Niagara Falls Defendants pursuant to Federal Rules of Civil Procedure 41(a)(1)(A).

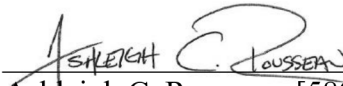
The Parties agree and acknowledge that, pursuant to this Court’s Order of March 3, 2021 [ECF No. 5, 231], voluntary dismissal of the New York State law claims brought by Plaintiff-Relator against Niagara Falls Defendants is subject to approval by this Court and, to the extent required under New York State law, the New York State Attorney General. Pursuant to this Court’s Order of September 19, 2022 [ECF No. 191], Plaintiff-Relator sought and received such approval from the New York State Office of the Attorney General.

Accordingly, the Parties hereby respectfully request that this Court approve the dismissal of the claims brought under New York State and City law by Plaintiff-Relator against Niagara Falls Defendants in the above-captioned action, as set forth in fifth through tenth causes of action of the Second Amended Complaint [ECF No. 19], WITH PREJUDICE as to the Relator, and WITHOUT PREJUDICE as to the State of New York.

Date: December 26, 2022
New York, New York

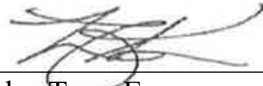
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SO ORDERED


Dated:

HONORABLE GREGORY H. WOODS
UNITED STATES DISTRICT JUDGE

Plaintiff-Relator, Patrick Donohue, and Defendants Niagara Falls Public School District and Mark Laurrie have stipulated to the dismissal of Plaintiff's claims against Defendants Niagara Falls Public School District and Mark Laurrie with prejudice as to Plaintiff, and without prejudice as to the State of New York. The Clerk of Court is directed to remove Defendants Niagara Falls Public School District and Mark Laurrie from the caption of this case.

SO ORDERED.

Dated: December 27, 2022


GREGORY H. WOODS
United States District Judge